IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 2469 of 2007 (M/S)

Prabhu Lal Saklani, S/O Late Sri K.D. Saklani, R/O Padiyar Gaon, Athoor, Tehri Garhwal, at present Banjarawala, Dehradun.

… Petitioner.

Versus

1. State of Uttarakhand through District Magistrate, Tehri Garhwal.
2. Director Rehabilitation (Tehri Dam), Tehri Garhwal.
3. Executive Engineer, Public Works Department (Rural Rehabilitation) Tehri, District Tehri Garhwal.

……Respondents.

Sri Anirudh Singh Negi, learned counsel for the petitioner.
Sri K.P. Upadhyay, Learned Addl. C.S.C. for the respondents-State.

Date December 13, 2007.

Hon'ble B.S.Verma, J.

This writ petition has been filed for issue a writ, order or direction in the nature of mandamus commanding the respondents to grant compensation to the petitioner at the rate at which compensation was granted with respect to lands similarly situated.

The petitioner has also filed a representation before the Director (Rehabilitation) and, according to the petitioner, the same is pending.

From a perusal of the record, it is obvious that the petitioner had already filed Original Suit No. 4 of 2007, Prabhu Lal Saklani Vs. State of Utrakhand and two others. The petitioner has annexed the copy of the order-dated 17.10.2007 passed by the learned District Judge Tehri Garhwal in the suit as Annexure No.4. Thus, the petitioner has availed alternate remedy. The petitioner may assail the order passed by the District Judge before appropriate Forum if so advised.

The writ petition is devoid of merit and is liable to be dismissed at the threshold.

The writ petition is dismissed in limine.

All applications stand disposed of.

(B.S. Verma, J.)

RCP